



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

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Byron Berwick  
Pastures Campground  
RR 1 Box 57 A  
Orford, New Hampshire 03

LETTER OF DEFICIENCY  
WMB PBF 02-60  
August 30, 2002

Dear Mr. Berwick

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On August 21, 2002, DES inspected the pool at the Pastures Campground in Orford, NH "the Pool") During this inspection the following deficiencies were noted:

Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Pool water was 0.2 mg/L on August 21, 2002.

Env-Ws 1103.15(d) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 6.8 on August 21, 2002.

3. Pursuant to Env-Ws 1103.15(a), disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypo-chlorite or bromine tablets with control of the erosion rate. The Pool is currently being disinfected by hand feeding.
4. Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. No written records were available at the time of the inspection relative to the required testing of the Pool water.

Env-Ws 1104.04(a) requires the following safety device to be present at all public pools: (1) a light, strong pole not less than 12 feet long, including a body hook. This safety device was not present at the Pool at the time of inspection.

6. Pursuant to Env-Ws 1104.03(b), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Complete patron rules were not posted at the Pool at the time of the inspection.

Env-Ws 1104.03(e)(1) states that the depth of water in feet shall be plainly and conspicuously marked at or above the water line on the vertical pool wall and on the top of the coping or edge of the deck or walk next to the pool. The depth of the Pool was not marked.

8. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a flow meter.
9. Pursuant to Env-Ws 1103.14(d), pumps, filters, disinfectant feeders, flow indicators, gauges, and all related components of the recirculation system shall be kept in operation for the duration of one turnover time (i.e., the passage of a facility's volume of water through the recirculation system once) prior to and consistently during use of a public bathing facility. The pump and filter for the Pool were not in operation at the time of inspection.



10. Pursuant to RSA 485-A:26, no person shall install, operate or maintain an artificial swimming pool or bathing place open to and used by the public, or as part of a business venture, unless the construction, design and physical specifications of such pool or bathing place shall have received prior approval by the division. A public bathing facility is defined as a swimming pool, spa or special recreation pool operated for any municipality, governmental subdivision, public or private corporation, partnership, association or educational institution open to the public, members or students, whether on a fee or free basis, together with buildings and equipment. This includes, but is not limited to, town public bathing facilities, public bathing facilities at hotels, motels, health facilities, water parks, condominium complexes, apartment complexes and public campgrounds. DES does not have any record of design approval for the Pool located at the Pastures Campground, Orford, NH.

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

- A copy of two weeks of water quality test results for all facilities (please do not send originals).
- 2. The type, manufacture, and model of the chlorine feeder to be installed.
- 3. The type, manufacture, and model of the flow meter to be installed.
- 4. A completed application for the unapproved Pool.
- 5. A timetable of when:
  - a. the safety items will be in place,
  - b. the depth will be marked,
  - c. patron rules will be posted,
  - d. the installation of the chlorine feeder will be completed, and
  - e. the installation of the flow meter will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

**COPY**  


Jody Connor  
Limnology Center Director

enclosures

cc: Mark Harbaugh, Enforcement Attorney, DES ✓  
Amy Wilson, Public Bathing Facility Coordinator, DES  
Town Health Officer, Town of Orford

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